



Senate

General Assembly

File No. 32

February Session, 2014

Substitute Senate Bill No. 68

Senate, March 18, 2014

The Committee on Environment reported through SEN. MEYER of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT AUTHORIZING THE USE OF CERTAIN MICROBIAL AND BIOCHEMICAL PESTICIDES AND GRUB CONTROL PRODUCTS ON SCHOOL GROUNDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-231a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 As used in sections 10-231b to 10-231d, inclusive, [and section 19a-
4 79a,] (1) "pesticide" means a fungicide used on plants, an insecticide, a
5 herbicide or a rodenticide, but does not mean a sanitizer, disinfectant,
6 antimicrobial agent or pesticide bait in a tamper-resistant container, (2)
7 "lawn care pesticide" means a pesticide registered by the United States
8 Environmental Protection Agency and labeled pursuant to the federal
9 Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and
10 ornamental sites or areas, [and] but does not include any: (A)
11 Microbial pesticide or biochemical pesticide that is registered with the
12 United States Environmental Protection Agency, (B) horticultural soap
13 or oil that is registered with the United States Environmental

14 Protection Agency, and that does not contain any synthetic pesticide or
15 synergist, or (C) pesticide classified by the United States
16 Environmental Protection Agency as an exempt material under 40 CFR
17 152.25, (3) "integrated pest management" means use of all available
18 pest control techniques, including judicious use of pesticides, when
19 warranted, to maintain a pest population at or below an acceptable
20 level, while decreasing the use of pesticides, (4) "microbial pesticide"
21 means a pesticide that consists of a microorganism as the active
22 ingredient, and (5) "biochemical pesticide" means a naturally occurring
23 substance that controls pests by nontoxic mechanisms.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	10-231a
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ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which exempts various products from the definition of "lawn care pesticide," does not result in a fiscal impact, as there is not a cost differential between pesticide and pesticide free products.

The Out Years

State Impact: None

Municipal Impact: None

Sources: <http://www.epa.gov/pesticides/ipm/>

OLR Bill Analysis**sSB 68*****AN ACT AUTHORIZING THE USE OF CERTAIN MICROBIAL AND BIOCHEMICAL PESTICIDES AND GRUB CONTROL PRODUCTS ON SCHOOL GROUNDS.*****SUMMARY**

This bill exempts certain products from the ban on nonemergency application of lawn care pesticide on the grounds of any public or private preschool or school with students in grade eight or lower. Current law defines a “lawn care pesticide” as a pesticide (1) registered by the U.S. Environmental Protection Agency (EPA) and (2) labeled according to federal law for use in lawns, gardens, and ornamental sites or areas.

The bill exempts the following products from this definition, thus allowing their application on the grounds of these preschools and schools:

1. EPA-registered microbial or biochemical pesticides,
2. horticultural soaps or oils registered with EPA and without synthetic pesticide or synergist (enhancer of pesticide properties), and
3. certain pesticides classified by EPA as exempt materials (see BACKGROUND).

Under the bill, a “microbial pesticide” is a pesticide that has a microorganism as the active ingredient, and a “biochemical pesticide” is a naturally occurring substance that controls pests by nontoxic means.

Under current law, “pesticide” is a fungicide used on plants, insecticide, herbicide, or rodenticide, but not a sanitizer, disinfectant,

antimicrobial agent, or pesticide bait. The bill requires that, to be excluded from the definition and exempt from the law's pesticide application requirements for schools, sanitizers, disinfectants, antimicrobial agents, and pesticide baits be in tamper-resistant containers.

The bill does not change current law on pesticide application at day care centers.

EFFECTIVE DATE: Upon passage

BACKGROUND

Exempt Pesticides

Certain pesticides and pesticide classes do not need regulation under the federal Insecticide, Fungicide, and Rodenticide Act. They include:

1. pheromones and similar compounds used in pheromone traps,
2. preservatives for biological specimens (e.g., embalming fluids),
3. products consisting of food to attract pests,
4. natural cedar, and
5. minimum-risk pesticides (i.e., containing certain active ingredients) (40 CFR 152.25).

Related Bill

SB 46, favorably reported by the Children's Committee, expands the ban on using lawn care pesticides on school grounds to cover schools with students in grades nine to 12.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 23 Nay 6 (02/28/2014)